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Public Service Commission
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Attn: PSC Docket No. 19-0377

Petition to Intervene in PSC Docket 19-0377, IN THE MATTER OF THE DELAWARE PUBLIC SERVICE COMMISSION'S JURISDICTION OVER ELECTRIC VEHICLE CHARGING STATIONS AND SERVICE PROVIDERS –Revised to meet Hearing Examiner inquiry

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2. It is in the Public Interest electric vehicle charging infrastructure expand to support the growing consumer interest in battery powered electric vehicles (EV). The situation can be compared to the early days of the development of the internal combustion engine vehicle when gasoline filling stations were few and far between. One interpretation is EV charging infrastructure is an extension of the electric distribution system that can only be installed by electric utilities. Some states have passed legislations allowing non-utilities the authority to offer charging stations. However, an alternative position is charging infrastructure falls outside the “natural” monopoly offered to regulated utilities that is needed to prevent ruinous duplication of transmission, and distribution investment. After all, it is in the public interest to expand charging stations far, and wide by as many business entities as possible. Just as common electric outlets on the customer side of the meter are not regulated by the PSC, the Commission can determine electric outlets for EV charging are outside PSC jurisdiction. It is also in the public interest electric customers be protected from added charges to their electric bills to provide capital for their regulated utility to enter a risky market. Information provided in PSC Docket 17-1094 showed existing public charging stations in Delaware are typically in use less than 2 percent of the time. It is a risky bet there will be timely return on an investment in charging stations, and most electric customers would not voluntarily make such a bet.
3. The relief I request is the Commission determine EV charging outlets are outside the regulated electric utility distribution system, and therefore outside of Commission authority. Furthermore, I request the corollary of this position, regulated utilities should be excluded from using PSC approved electric customer funding for EV charging infrastructure as this practice would provide an unfair competitive advantage in raising capital for what is otherwise a free market. Investment in a free market considers risk. Regulated utilities would be offloading this risk to unsuspecting electric customers. The recently approved investment approved in Docket 17-1094 would be excluded from this request. Regulated utilities would be free to enter the EV charging market using investor funds as capital for entrance into this free market enterprise.



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4. Petitioner participation is in the Public Interest because of a particular skill set, interest in a free market economy, and interest in the protection of electric rates for regulated utility customers. The petitioner's free market views will not be represented by any other participant in this docket as other intervenors have participated in actions favoring regulated utility involvement in EV charging using electric customer funding, including all the intervenors in docket 17-1094, and dockets in fifteen other states. Some required skills needed for intervention in this docket are a general understanding of economics, experience with cost/benefit analysis, knowledge of the differences between an entrepreneur and a regulated utility, knowledge of energy and environmental policy, and experience with PSC electric utility Dockets. Petitioner is uniquely qualified with a degree in Agricultural Economics, economic analysis experience as an entrepreneur, as an employee of the Dupont Company, and as an analyst for the Caesar Rodney Institute for the last seven years working on energy and environmental policy, and advocating for free market based policy. Petitioner's extensive knowledge of environmental and energy policy, combined with experience with cost/benefit analysis led to appointment to the President's Environmental Protection Agency Transition Team. Petitioner has completed thirteen successful business startups between work at Dupont, and as a private entrepreneur, including start up support for Dupont's billion dollar supply business for the solar industry. Petitioner has undertaken extensive research and publication of information on Delaware energy policy to ensure Delaware citizens have competitive energy rates and has been an intervenor in fifteen electric utility dockets including Integrated Resource Plans, rate cases, billing transparency, infrastructure spending, SREC Procurement, Qualified Fuel Cell Provider projects, and most recently Electric Vehicle charging docket 17-1094. Petitioner has demonstrated experience in meeting deadlines to ensure cases maintain the schedules of the evidentiary process and intends to do so in this case as well.

Your acceptance of this intervention by the Caesar Rodney Institute as a Petitioner is hereby formally requested.

Respectfully submitted,

David T. Stevenson
Director, Center for Energy Competitiveness
Caesar Rodney Institute